PATENT COOPERATION TREATY

PCT PStrategies PO BOX 1254 Camberwell VIC 3124 Australia PRELIMINARY EXAMINING AUTHORITY (PCT Rule 66)	From the: INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY							
PO BOX 1234 Carnberwell VIC 3124 Australia Date of mailing (day/month/wear) (Australia REPLY DUE within TWO MONTHS from the above date of mailing International application No. PCT/AU2004/0000659 International period in the mailing date (day/month/wear) 19 January 2004 International Period (day/month/wear) 21 March 2003 International Period (day/month/wear) 21 March 2003 International Period (day/month/wear) 21 March 2003 Applicant AUSTRALIAN ORGANIC RESOURCES PTY LTD et al I. X The written opinion established by the International Searching Authority: is not considered to be a written opinion of the International Preliminary Examining Authority. 2. This second (second, etc.) opinion contains indications relating to the following items: Box No. II Priority Box No. II Priority Box No. II Priority Box No. II Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Lack of unity of invention X Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Box No. VI Certain observations on the international application Box No. VII Certain observations on the international application Box No. VII Certain observations on the international application Box No. VIII Certain observations on the international application Box No. VIII Certain observations on the international application Applicants is hereby invited to reply to this opinion. When? See the Reply Due date inclinated above. However, the Australian Patent Office will not establish the Report before the earlier of (in a response is littled a the international application) Applicants withing to have the benefit of a further opinion (if needed by dione where the association application report will be established on the basis of this opinion. Ap	То:		PCT					
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Applicant's or agent's file reference HELLER			_	2 2 JUL 2004				
International application No. PCT/AU2004/000059 International Patent Classification (IPC) or both national classification and IPC Int. Cl. ? B09B 3/00, B09C 1/02, Co2F 11/00, Co5F 7/00 Applicant AUSTRALIAN ORGANIC RESOURCES PTY LTD et al 1.	Applicant's or agent's file reference	·						
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AUSTRALIAN ORGANIC RESOURCES PTY LTD et al 1.	Int. Cl. 7 B09B 3/00, B09C 1/02, Co	02F 11/00, C05F 7/00)					
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E-mail address: pct@ipaustralia.gov.au Telephone No. (02) 6283 2407	AUSTRALIAN PATENT OFFICE	ALIA	B. PREMARATNE					
	E-mail address: pct@ipaustralia.gov.au							

WRITTEN OPINION OF THE

INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/AU2004/000059

Box	No. I	Basis of	the opinion			
1.			nguage, this opinion has been established on the basis of the international application in the language in less otherwise indicated under this item.			
	This opinion is based on a translation from the original language into the following language,					
	wh	nich is the lang	guage of a translation furnished for the purposes of:			
		internatio	nal search (under Rules 12.3 and 23.1 (b))			
		publication	on of the international application (under Rule 12.4)			
		internatio	nal preliminary examination (under Rules 55.2 and/or 55.3)			
2.	With regard to the elements of the international application, this opinion has been established on the basis of (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."):					
	X the	international	application as originally filed/furnished			
	the	description:	pages, as originally filed/furnished			
			pages, received by this Authority on with the letter of			
		÷	pages, received by this Authority on with the letter of			
	the	claims:	pages, as originally filed/furnished			
			pages, as amended (together with any statement) under Article 19,			
			pages, received by this Authority on with the letter of			
			pages , received by this Authority on with the letter of			
	the	drawings:	pages, as originally filed/furnished			
			pages, received by this Authority on with the letter of			
			pages, received by this Authority on with the letter of			
	a se	equence listing	g and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.			
3.	The	e amendments	have resulted in the cancellation of:			
		the desc	ription, pages			
	the claims, Nos.					
	the drawings, sheets/figs					
	the sequence listing (specify):					
	any table(s) related to the sequence listing (specify):					
4.	This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).					
	Г	the descr	iption, pages			
	ř	the claim				
	Ĺ		ings, sheets/figs			
	F		ence listing (specify):			
	F	= -	(s) related to the sequence listing (specify):			
	L					
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WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/AU2004/000059

Box No. V	Reasoned statement un citations and explanat	nder Rule 66.2(a)(ii) with regard to novelt ions supporting such statement	y, inventive step or industrial applicability	
1. Statemer	. Statement			
1	Novelty (N)	Claims 1 - 8	YES	
		Claims	NO	
I	Inventive step (IS)	Claims 6, 8	YES	
		Claims 1 - 5, 7	NO	
I	ndustrial applicability (IA)	Claims 1 - 8	YES	
		Claims	NO	

2. Citations and explanations:

The most relevant document relating to novelty and inventive step appears to be D1 = GB 2113199

D1 discloses a process for detoxification of industrial wastes while recovering valuable heavy metals. It also produces a product that can be used for soil improvement in agriculture. The method comprises the steps;

- a) treating a slurry of waste material in water having a solid material content of 100 Kg/m³ with sulphuric acid;
- b) separating the solution containing the heavy metal salts;
- c) mixing the solids from the separating step with more acid and separating the solid and liquid phases;
- d) recycling the liquid phase back to the first acid treatment stage;
- e) neutralising the sold phase with slaked lime;
- f) precipitating the heavy metals from the solution from step b) using slaked lime;
- g) separating the precipitate of heavy metal salts.

Thus D1 discloses all the features of claims 1-5 and 7 except the feature of recycling the liquid phase after separation of the precipitated heavy metal salts.

One of the problems the present invention attempts to solve is to keep the process cost to a minimum and one way of doing this is by recycling. Thus it would be obvious to a person skilled in the art to recycle the liquor resulting from the separation of the heavy metal salt precipitates. Also, recycling to preserve water and valuable chemicals is well known in the art. Therefore although, novelty can be acknowledged to the claims 1-5 and 7 inventive step cannot be acknowledged.